



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
www.ladpw.org

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

June 19, 2003

IN REPLY PLEASE REFER TO FILE: **MP-6**
664.042
663.042

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**HERMOSA AVENUE-SIXTH STREET DRAIN - INCLUDES PIER AVENUE DRAIN
PARCELS 2A AND 2C - LEASE AGREEMENT - CITY OF HERMOSA BEACH
SUPERVISORIAL DISTRICT 4
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve the enclosed 40-year Lease between the Los Angeles County Flood Control District and the City of Hermosa Beach for the operation and maintenance of covered storm drains and appurtenant structures for Hermosa Avenue-Sixth Street Drain, Parcel 2A (4,412 square feet), and Pier Avenue Drain, Parcel 2C (4,702 square feet), located at the end of Sixth Street and Pier Avenue, respectively, in the City of Hermosa Beach.
2. Instruct the Chair to sign the enclosed Lease and authorize delivery to the City.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

This action will allow the Los Angeles County Flood Control District to operate and maintain the portion of the covered storm drains situated below the line of the mean high tide of the Pacific Ocean, at the end of Sixth Street and Pier Avenue, in the City of Hermosa Beach. The drains were constructed pursuant to an Agreement between the County and City, adopted by your Board on January 28, 1986, Synopsis 35.

Implementation of Strategic Plan Goals

This action is consistent with the Strategic Plan Goal of Service Excellence since maintaining our flood facilities provides flood protection to residents, which improves the quality of life in the County.

FISCAL IMPACT/FINANCING

None.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

By an act of the State Legislature of the State of California, approved May 25, 1919, all tidelands and submerged lands within the boundaries of a city and situated below the line of the mean high tide of the Pacific Ocean are forever held by the city, but can be leased for limited periods. The term of this Lease is for 40 years.

This Lease has been approved as to form by County Counsel and will be recorded.

ENVIRONMENTAL DOCUMENTATION

The California Environmental Quality Act requires public agency decision makers to document and consider the environmental implications of their actions. An Initial Study of Environmental Factors was prepared for this project. Based on the Negative Declaration previously approved by your Board on October 15, 1985, Synopsis 34, it was determined that the project will not have a significant effect on the environment or any adverse effect on wildlife resources.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

None.

The Honorable Board of Supervisors
June 19, 2003
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CONCLUSION

This action is in the District's best interest. Enclosed are three originals of the Lease. Please have all originals signed by the Chair and acknowledged by the Executive Officer of the Board of Supervisors. Please return two originals to this office and retain one for your files.

One approved copy of this letter is requested.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

DR:bw
P6:1648BRDLTR

Enc.

cc: Chief Administrative Office
County Counsel

ORIGINAL

RECORDING REQUESTED BY AND
MAIL TO:

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
P.O. Box 1460
Alhambra, CA 91802-1460
Attn: Mapping & Property
Management Division
R/W Engineering Section

THIS DOCUMENT IS EXEMPT FROM DOCUMENTARY
TRANSFER TAX PURSUANT TO SECTION 11922 OF
THE REVENUE & TAXATION CODE

THIS DOCUMENT IS EXEMPT FROM RECORDING FEES
PURSUANT TO SECTION 27383 OF THE GOVERNMENT
CODE

Space above this line for Recorder's use

HERMOSA AVENUE-
SIXTH STREET DRAIN 2A
Includes Pier Avenue Drain 2C
C.I. 25 (A4)
664-RW 1
663-RW 2
Fourth District
T.G. 67 (C-1) and (B-1)
FG0083

LEASE
between
CITY OF HERMOSA BEACH
and
LOS ANGELES COUNTY FLOOD CONTROL DISTRICT

THIS INDENTURE, made and entered into this 9TH day of July, 1996, by
and between CITY OF HERMOSA BEACH, a municipal corporation, as Trustee, hereinafter
referred to as "City", pursuant to the provisions of that certain act of the State Legislature of
the State of California, herein referred to, and the LOS ANGELES COUNTY FLOOD
CONTROL DISTRICT, a body corporate and politic, hereinafter referred to as "District".

WITNESSETH:

WHEREAS, by act of the State Legislature of the State of California, designated
Chapter 479, page 941, of Statutes of California 1919, approved May 25, 1919, there was
granted to the City of Hermosa Beach, a municipal corporation, all right, title and interest of
the State of California, in and to all the tidelands and submerged lands within the boundaries
of said City, and situated below the line of the mean high tide of the Pacific Ocean, to be
forever held by said City in trust for the protection of the lands within said City, and other
purposes, also providing said City may lease said lands, or any part thereof, for limited
periods, for purposes consistent with said trust;

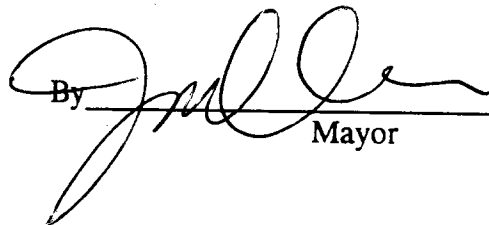
WHEREAS, the hereinafter described lands are portions of the above stated land
granted to City upon said trust;

NOW THEREFORE, in consideration of the construction and maintenance by District,
of the improvements hereunder, and the benefits to be derived therefrom by City for the
protection of the lands within said City, City, as Trustee, does hereby demise, lease and let
to District and District does hereby hire and accept from City, as Trustee, for the
construction, reconstruction, operation and maintenance of a covered storm drain and
appurtenant structures for the term of forty years, beginning of the date above set forth, in,
on, over, under and across the real property in the City of Hermosa Beach, County of
Los Angeles, State of California, described in Exhibit "A", attached hereto and by this
reference made a part hereof.

Together with the further right to enter upon and to pass and repass over and along said land and to deposit tools, implements and other materials thereon by said District, its officers, agents, and employees, whenever and wherever necessary for the purposes above set forth.

IN WITNESS WHEREOF, the CITY OF HERMOSA BEACH, has caused this Lease to be executed by its duly authorized officer, pursuant to a resolution of its City Council, the seal of said City to be affixed hereto and attested by its City Clerk, and the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, by order of its Board of Supervisors, has caused this Lease to be subscribed by the Chair of said Board, the seal of said District to be affixed hereto and attested by the Clerk of said Board.

CITY OF HERMOSA BEACH,
a municipal corporation

By  _____
Mayor

(City Seal)

ATTEST:

 _____
City Clerk

LOS ANGELES COUNTY FLOOD CONTROL
DISTRICT, a body corporate and politic

By _____
Chair, Board of Supervisors of the
Los Angeles County Flood Control District

(LACFCD-SEAL)

ATTEST:

VIOLET VARONA-LUKENS, Executive Officer
of the Board of Supervisors
of the County of Los Angeles

By _____
Deputy

HERMOSA AVENUE-
SIXTH STREET DRAIN 2A
Includes PIER
AVENUE DRAIN 2C
C.I. 25 (A4)
664-RW 1
663-RW 2
Fourth District
T.G. 67 (C-1) and (B-1)

HERMOSA AVENUE-SIXTH STREET DRAIN

Parcel No. 2A (Leasehold for covered storm drain and appurtenant structures):

Part (a):

That portion of Lot No. 38, T. 4 S., R. 15 W., Rancho Sausal Redondo, as shown on map recorded in Book 1, pages 507 and 508, of Patents, in the office of the Recorder of the County of Los Angeles, and that portion of the Pacific Ocean, as shown on said map, within a strip of land 20 feet wide, lying 10 feet on each side of the following-described line:

Beginning at the intersection of a line parallel with and 10 feet westerly, measured at right angles, from the westerly line of Lot 7, Block 6, Hermosa Beach, as shown on map filed in Book 1, pages 25 and 26, of Maps, in the office of said Recorder, and a line parallel with and 24 feet northerly, measured at right angles, from the northerly line of said Lot 7; thence westerly along last-said parallel line, 237.00 feet to a point designated "A" for purposes of this description.

EXCEPTING therefrom that portion lying easterly of the mean high tide line, as shown on County Surveyor's Map No. B-1823-1, on file in the office of the Director of the Department of Public Works of said County.

Part (b):

That portion of said Lot No. 38, and that portion of said Pacific Ocean, within a strip of land 26 feet wide, lying 13 feet on each side of the following-described line:

Beginning at said point "A"; thence continuing westerly along last-said parallel line, 122.00 feet.

The area of the above-described parcel of land, consisting of two parts, is 4,412 square feet, more or less.

Exhibit "A"

AMB 4/87-001
4/88-001

PIER AVENUE DRAIN

Parcel No. 2C (Leasehold for covered storm drain and appurtenant structures):

Part (a):

That portion of Lot No. 37, T. 3 S., R. 15 W., Rancho Sausal Redondo, as shown on map recorded in Book 1, pages 507 and 508, of Patents, in the office of the Recorder of the County of Los Angeles, and that portion of the Pacific Ocean, as shown on said map, within a strip of land 20 feet wide, lying 10 feet on each side of the following-described line:

Beginning at the intersection of a line parallel with and 37 feet northerly, measured at right angles, from the northerly line of Lot 5, Block 12, Hermosa Beach, as shown on map filed in Book 1, pages 25 and 26, of Maps, in the office of said Recorder, and a line parallel with and 19 feet westerly, measured at right angles, from the westerly line of said Lot 5; thence along last-said parallel line, S. 16° 30' 00" E. 64.51 feet to the beginning of a tangent curve, concave to the northwest and having a radius of 22.50 feet; thence southerly, southwesterly and westerly along said curve, through a central angle of 93° 47' 00" an arc distance of 36.83 feet; thence tangent to said curve, S. 77° 17' 00" W. 205.00 feet to a point designated "B" for purposes of this description.

EXCEPTING from last-said 20-foot-wide strip of land that portion lying easterly of the mean high tide line, as shown on County Surveyor's Map No. B-1823-1, on file in the office of the Director of the Department of Public Works of said County.

Part (b):

That portion of said Lot No. 37, and that portion of said Pacific Ocean, within a strip of land 26 feet wide, lying 13 feet on each side of the following-described line:

Beginning at said point "B"; thence continuing, S. 77° 17' 00" W. 161.00 feet.

The area of the above-described parcel of land, consisting of two parts, is 4,702 square feet, more or less.

Exhibit "A"

DB:mm153:5:dbdes

Page 2 of 2

APPROVED AS TO DESCRIPTION
AUGUST 13, 1996
COUNTY OF LOS ANGELES
BY Douglas W. Buro
SUPERVISING CADASTRAL ENGINEER I
Mapping and Property Management Division

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

On January 6, 1987, the Board of Supervisors for the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts adopted a resolution pursuant to Section 25103 of the Government Code which authorized the use of facsimile signatures of the Chair of the Board on all papers, documents, or instruments requiring his/her signature.

The undersigned hereby certifies that on this ____ day of _____, 19____, the facsimile signature of _____,

Chair of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT was affixed hereto as the official execution of this document. The undersigned further certifies that on this date, a copy of the document was delivered to the Chair of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT.

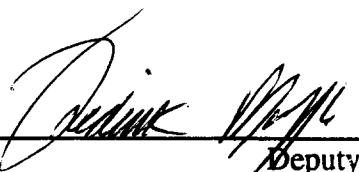
In witness whereof, I have also hereunto set my hand and affixed my official seal the day and year above written.

VIOLET VARONA-LUKENS, Executive Officer
of the Board of Supervisors
of the County of Los Angeles

By _____
Deputy

(LACFCD-SEAL)

APPROVED as to form
LLOYD W. PELLMAN, County Counsel

By  _____
Deputy

mpm:wp
32/FLOODFAX.ACK

ACKNOWLEDGMENT FORM

State of CALIFORNIA)

County of LOS ANGELES)

On JULY 9, 1996 before me, NAOMA VALDES, Notary Public, the undersigned,
personally appeared _____

(insert name and title)

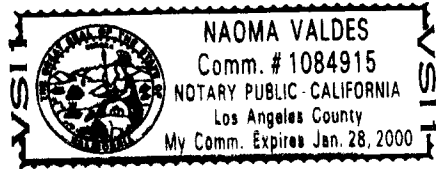
JULIA OAKES, Mayor of the City of Hermosa Beach

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Naoma Valdes (Seal)

NAOMA VALDES
(Name, Typed or Printed)



NOTARIES: ATTACH ADDITIONAL OR OTHER FORMS, IF REQUIRED

FOR COUNTY USE ONLY

State of California)

County of Los Angeles)

On _____ before me, CONNY B. McCORMACK, Registrar-Recorder/County Clerk
of the County of Los Angeles, personally appeared _____

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the persons, or the entity on behalf of which the person(s) acted, executed the instrument.

IN WITNESS WHEREOF, I have here set my hand.

CONNY B. McCORMACK, REGISTRAR-RECORDER/
COUNTY CLERK of the County of Los Angeles

By _____
Deputy County Clerk

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the within deed or grant is hereby accepted under the authority conferred by Ordinance No. 85-0108, duly and regularly adopted by the Board of Supervisors of the County of Los Angeles on the 18th day of June, 1985, and the Grantee consents to the recordation thereof by its duly authorized officer.

Dated _____

By _____
ASSISTANT DEPUTY DIRECTOR
MAPPING & PROPERTY MANAGEMENT DIVISION